

REMARKS

The Examiner is thanked for her examination of the above-identified application. The Office Action mailed April 23, 2009 has been considered and its contents carefully reviewed. Claims 25 and 40-61 are pending in this application.

The Office rejects claims 25 and 40, 42-51, and 53-61 on the ground of nonstatutory obviousness-type double patenting, as being unpatentable over claims of commonly owned U.S. Patent No. 6788652. The Office rejects claims 41 and 52 on the ground of nonstatutory obviousness-type double patenting, as being unpatentable over claim 6 of commonly owned U.S. Patent No. 6788652 in view of U.S. Patent No. 6,975,868 to Joshi. Applicant submits herewith a terminal disclaimer to obviate the double patenting rejection over prior Patent No. 6788652. Accordingly, Applicant respectfully requests withdrawal of the rejections of claims 25 and 40-61.

The application is in condition for allowance. If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7513 to discuss the steps necessary for placing the application in condition for allowance.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Dated: June 5, 2009

Respectfully submitted,

/Michael I. Angert/

By _____

Michael I. Angert

Registration No.: 46,522

McKENNA LONG & ALDRIDGE LLP

1900 K Street, N.W.

Washington, DC 20006

(202) 496-7500

Attorneys for Applicant